

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MINERVA GOMEZ,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION; MARCIA SULIT-TORRES,
PRINCIPAL,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
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DATE FILED: 3/8/2021

21 Civ. 1711 (AT)

**ORDER DIRECTING PAYMENT
OF FEES OR AMENDED IFP
APPLICATION**

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed without prepayment of fees, that is, *in forma pauperis* (“IFP”) submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiff submitted an IFP application, but her response to the question regarding her status of employment appears to contradict the information contained in her complaint. Specifically, on her IFP application Plaintiff checks the box indicating that she is not employed, but in her complaint, she indicates that she is currently employed as a teacher. Thus, the Court is unable to assess Plaintiff’s ability to pay the filing fees.


Accordingly, within thirty days of the date of this order, Plaintiff must either pay the \$402.00 in fees or submit an amended IFP application. If Plaintiff submits the amended IFP application, it should be labeled with docket number 21-CV-1711 (AT), and Plaintiff must address the deficiencies described above by providing facts to establish that she is unable to pay the filing fees. Plaintiff must indicate her current employment status, and if she is currently employed, she must indicate her current salary. If the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: March 8, 2021
New York, New York



ANALISA TORRES
United States District Judge